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OFFICE OF PETITIONS

In re Application of	:	
Lau, et al.	:	
Application No. 09/313,828	:	ON PETITION
Filed: May 18, 1999	:	
Attorney Docket No. 23119/04016	:	

This is a decision on the petition under 37 CFR 1.137(b), filed July 19, 2005 and supplemented on October 17, 2005, October 20, 2005 and November 9, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the final Office action mailed January 9, 2003. Accordingly, this application became abandoned on April 10, 2003. A Notice of Abandonment was mailed on July 29, 2003.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. At 53160 and 53178, 1203 Off. Gaz Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office).

The file is being forwarded to Technology Center 1600 for review of the Request for Continued Examination and amendment, filed July 19, 2005.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3228.

Edward J. Tannouse
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Office of Petitions/Patent
Office of the Deputy Commissioner
for Patent Examination Policy